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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
SCOTT WILLIAM BRENDLIN,  
  
Defendant.

CASE NO. 2:23-MJ-00008-KJN

STIPULATION REGARDING WAIVER OF  
IDENTITY HEARING AND REQUEST FOR  
TRANSPORTATION TO THE DISTRICT OF  
NORTH DAKOTA; FINDINGS AND ORDER

DATE: January 26, 2023

TIME: 2:00 p.m.

COURT: Hon. Kendall J. Newman

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. On January 23, 2023, Defendant Scott William Brendlin ("Brendlin") made an initial appearance in the Eastern District of California on a Rule 5(c)(3) superseding indictment out of the District of North Dakota. At that hearing, Brendlin was ordered detained as a flight risk and danger to the community. The Court advised Brendlin of his right to an identity hearing under Federal Rule of Criminal Procedure 5(c)(3). Defendant requested an identity hearing, and the Court set a hearing date of January 26, 2023. The Court advised that if the defendant was found to be the named defendant in the Indictment, the Court would order the defendant transported forthwith to the District of North Dakota.

2. On January 24, 2023, the Federal Defender's Office requested that attorney Todd Leras substitute into this matter as appointed counsel due to the existence of a conflict of interest on the part of

the Federal Defender's Office.

3. On January 25, 2023, defense counsel met with Brendlin. At this time, Brendlin agreed to the proposed substitution of counsel and to waive an identity hearing. Counsel for the government thereafter notified the Court that the parties expected Brendlin to waive an identity hearing at the January 26, 2023 hearing.

4. By this stipulation, defendant now moves to waive his right to an identity hearing under Federal Rule of Criminal Procedure 5(c)(3) and requests transportation forthwith to the District of North Dakota. The government joins in this request.

IT IS SO STIPULATED.

Dated: January 26, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ ALSTYN BENNETT  
ALSTYN BENNETT  
Assistant United States Attorney

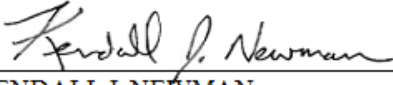
Dated: January 26, 2023

/s/ TODD LERAS  
TODD LERAS  
Counsel for Defendant  
SCOTT WILLIAM BRENDLIN

**ORDER**

IT IS SO FOUND AND ORDERED.

Dated: January 26, 2023

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE